

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

---

THE STATE OF ARIZONA,  
*Appellee,*

*v.*

HEATHER JOY POWERS,  
*Appellant.*

No. 2 CA-CR 2018-0044  
Filed December 13, 2018

---

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION  
*See* Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.19(e).

---

Appeal from the Superior Court in Pinal County  
No. S1100CR201601503  
The Honorable Joseph R. Georgini, Judge

**AFFIRMED**

---

COUNSEL

Micheal Villarreal, Florence  
*Counsel for Appellant*

STATE v. POWERS  
Decision of the Court

---

**MEMORANDUM DECISION**

Judge Brearcliffe authored the decision of the Court, in which Presiding Judge Staring and Chief Judge Eckerstrom concurred.

---

BREARCLIFFE, Judge:

¶1 After a jury trial, Heather Powers was convicted of transportation of dangerous drugs for sale, possession of drug paraphernalia, and possession of a narcotic drug. The trial court sentenced her to concurrent prison terms for the first two offenses, the longest of which is ten years. For her conviction of possession of a narcotic drug, the court suspended the imposition of sentence and placed Powers on a three-year term of probation.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530 (App. 1999), stating he has reviewed the record but found no arguably meritorious issue to raise on appeal. He asks this court to search the record for error. Powers has not filed a supplemental brief.

¶3 Viewed in the light most favorable to sustaining the jury's verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2 (App. 1999), the evidence is sufficient to support its verdicts here. *See* A.R.S. §§ 13-3407(A)(7), 13-3408(A)(1), 13-3415(A). In May 2016, a deputy sheriff stopped Powers' car, in which she was riding as a passenger. A search of the car uncovered a bottle containing eight oxycodone pills, a scale, and a case containing methamphetamine in an amount consistent with sale, baggies, and a receipt bearing Powers' name. Powers admitted that the pills were hers, that she had no prescription for them, and that she was on her way to sell methamphetamine to a friend. The sentences imposed are within the statutory range, and the term of probation is proper.<sup>1</sup> *See* A.R.S. §§ 13-702(D), 13-901.01, 13-902(A)(3), 13-3407(E).

---

<sup>1</sup>Despite concluding Powers had a prior historical felony conviction, the trial court apparently sentenced her as a nonrepetitive offender for this count instead of as a category two repetitive offender. *Compare* A.R.S. §§ 13-702(D) *with* 13-703(B), (I).

STATE v. POWERS  
Decision of the Court

¶4 We have searched the record for reversible error and found none. We therefore affirm Powers' convictions and sentences.